

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index No.: 14501/2013

Date Purchased: 8/08/13

SUMMONS-----X
SHALIKQUWA RAJENE MCCOY,*Plaintiff,*Plaintiff designates Kings
County as the place of trial.

-against-

The basis of venue is:
Plaintiff ResidenceMEGABUS NORTHEAST, LLC, COACH LEASING,
INC., and ANGEL H. SARMIENTO,*Defendants.*Plaintiff resides at:
25 Tennis Court, #1A
Brooklyn, NY 11226
County of Kings-----X
To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
July 25, 2013Ellie A. Silverman, Esq.
NOVO LAW FIRM, PC
Attorney for Plaintiff
SHALIKQUWA RAJENE MCCOY
299 Broadway, 17th Floor
New York, New York 10007
212-233-6686
Our File No. 11-2828

TO:

MEGABUS NORTHEAST, LLC, 111 Eighth Avenue, New York, NY 10011

COACH LEASING, INC., 111 Eighth Avenue, New York, NY 10011

ANGEL H. SARMIENTO, 1468 67th Street, North Bergen, NJ 07047 or 1459 67th Street, North Bergen, NJ 07047KINGS COUNTY CLERK
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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SHALIKQUWA RAJENE MCCOY,

Plaintiff,

-against-

MEGABUS NORTHEAST, LLC, COACH LEASING,
INC., and ANGEL H. SARMIENTO,

Defendants.
-----X

Index No.:

Date Purchased:

VERIFIED COMPLAINT

Plaintiff, by her attorneys, NOVO LAW FIRM, PC, complaining of the Defendants, respectfully alleges, upon information and belief:

PARTIES

1. At all times herein mentioned, Plaintiff SHALIKQUWA RAJENE MCCOY was, and still is, a resident of the County of Kings, State of New York.

2. At all times herein mentioned, Defendant, MEGABUS NORTHEAST, LLC, is a foreign corporation duly incorporated existing pursuant to the laws of the State of New York.

3. At all times herein mentioned, Defendant COACH LEASING, INC., is a foreign corporation duly incorporated existing pursuant to the laws of the State of New York.

5. At all times herein mentioned, Defendant, ANGEL H. SARMIENTO, was, and still is, a resident of the County of Hudson, State of New Jersey.

FACTS

6. At all times herein mentioned, Defendant, MEGABUS NORTHEAST, LLC, was the owner of a 2010 VanHool bus motor vehicle bearing Illinois State registration number P00690048.

7. At all times herein mentioned, Defendant, **COACH LEASING, INC.**, was the owner of a 2010 VanHool bus motor vehicle bearing Illinois State registration number P00690048.

8. At all times herein mentioned, Defendant, **ANGEL H. SARMIENTO**, operated the aforesaid motor vehicle bearing Illinois State registration number P00690048.

9. At all times herein mentioned, Defendant **MEGABUS NORTHEAST, LLC** managed the aforesaid motor vehicle bearing Illinois State registration number P00690048.

10. At all times herein mentioned, Defendant **COACH LEASING, INC.**, managed the aforesaid motor vehicle bearing Illinois State registration number P00690048.

11. At all times herein mentioned, Defendant, **ANGEL H. SARMIENTO**, managed the aforesaid motor vehicle bearing Illinois State registration number P00690048.

12. At all times herein mentioned, Defendant **MEGABUS NORTHEAST, LLC** maintained the aforementioned motor vehicle.

13. At all times herein mentioned, Defendant **COACH LEASING, INC.**, maintained the aforementioned motor vehicle.

14. At all times herein mentioned, Defendant **ANGEL H. SARMIENTO**, maintained the aforementioned motor vehicle.

15. At all times herein mentioned, Defendant, **MEGABUS NORTHEAST, LLC** controlled the aforesaid motor vehicle bearing Illinois State registration number P00690048.

16. At all times herein mentioned, Defendant, **COACH LEASING, INC.**, controlled the aforesaid motor vehicle bearing Illinois State registration number P00690048.

17. At all times herein mentioned, Defendant, **ANGEL H. SARMIENTO** controlled the aforesaid motor vehicle bearing Illinois State registration number P00690048.

18. At all times herein mentioned, Plaintiff, **SHALIKQUWA RAJENE MCCOY**, was a passenger in the vehicle owned by Defendant, **MEGABUS NORTHEAST, LLC**, and operated by Defendant, **ANGEL H. SARMIENTO**.

19. At all times herein mentioned, Plaintiff, **SHALIKQUWA RAJENE MCCOY**, was a passenger in the vehicle owned by Defendant, **COACH LEASING, INC.**, and operated by Defendant, **ANGEL H. SARMIENTO**.

20. At all times herein mentioned, Massachusetts Avenue NE at or near H Street NE in Washington D.C., were public roadways and/or thoroughfares.

21. That on December 22, 2011, Defendant **ANGEL H. SARMIENTO** was operating the aforementioned motor vehicle at the aforementioned location.

22. That on December 22, 2011, the motor vehicle that Plaintiff **SHALIKQUWA RAJENE MCCOY** was a passenger in, and which was owned by Defendant **MEGABUS NORTHEAST, LLC**, and operated by Defendant, **ANGEL H. SARMIENTO**, was involved in an accident.

23. That on December 22, 2011, the motor vehicle that Plaintiff **SHALIKQUWA RAJENE MCCOY** was a passenger in, and which was owned by Defendant **COACH LEASING, INC.**, and operated by Defendant, **ANGEL H. SARMIENTO**, was involved in an accident.

24. That on December 22, 2011, the aforementioned vehicle operated by Defendant, **ANGEL H. SARMIENTO**, came into contact with an overhead pole and/or crossbeam, fixture or appurtenance at or near the above mentioned location.

**AS AND FOR FIRST A CAUSE OF ACTION
INJURED PASSANGER- SHALIKQUWA RAJENE MCCOY**

25. That as a result of the aforesaid contact, Plaintiff, **SHALIKQUWA RAJENE MCCOY**, was injured.

26. That the aforesaid occurrence was caused wholly and solely by reason of the negligence of the Defendants without any fault or negligence on the part of the Plaintiff contributing thereto.

27. That Defendants were negligent, careless and reckless and grossly negligent in the ownership, operation, management, maintenance, supervision, use and control of the aforesaid vehicle and the Defendants were otherwise negligent, careless and reckless under the circumstances then and there prevailing.

28. That by reason of the foregoing, Plaintiff, **SHALIKQUWA RAJENE MCCOY**, sustained severe and permanent personal injuries and Plaintiff, **SHALIKQUWA RAJENE MCCOY**, was otherwise damaged.

29. That Plaintiff, **SHALIKQUWA RAJENE MCCOY**, sustained serious injuries as defined by §5102(d) of the Insurance Law of the State of New York.

30. That Plaintiff, **SHALIKQUWA RAJENE MCCOY**, sustained serious injuries and economic loss greater than basic economic loss as defined by §5104 of the Insurance Law of the State of New York.

31. That Plaintiff **SHALIKQUWA RAJENE MCCOY** is not seeking to recover any damages for which Plaintiff has been reimbursed by no-fault insurance and/or for which no-fault

insurance is obligated to reimburse Plaintiff. Plaintiff is seeking to recover only those damages not recoverable through no-fault insurance under the facts and circumstances in this action.

32. That this action falls within one or more of the exceptions set forth in CPLR §1602.

33. That by reason of the foregoing, Plaintiff, **SHALIKQUWA RAJENE MCCOY**, has been damaged in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demands judgment against the Defendants herein, in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: New York, New York
July 25, 2013

Yours, etc.



Ellie A. Silverman, Esq.
NOVO LAW FIRM, PC
Attorney for Plaintiff
SHALIKQUWA RAJENE MCCOY
299 Broadway, 17th Floor
New York, New York 10007
212-233-6686
Our File No. 11-2828

ATTORNEY'S VERIFICATION

ELLIE A. SILVERMAN, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury: I am an attorney at **NOVO LAW FIRM, PC**, attorneys of record for Plaintiff, **SHALIKQUWA RAJENE MCCOY**. I have read the **SUMMONS and COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

This verification is made by me because Plaintiff is not presently in the county wherein I maintain my offices.

DATED: New York, New York
July 25, 2013


Ellie A. Silverman, Esq.

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

SHALIKQUWA RAJENE MCCOY,

Plaintiff,

-against-

MEGABUS NORTHEAST, LLC, COACH LEASING, INC., and ANGEL H. SARMIENTO,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Novo Law Firm, PC
Attorneys for
299 Broadway, 17th Floor
New York, New York 10007
212-233-6686

ATTORNEY'S CERTIFICATION. Upon reasonable inquiry under the circumstances, I certify that the presentation of these papers or contentions therein is made in good faith and is not frivolous.

Dated: July 25, 2013


Ellie A. Silverman, Esq.

SERVICE OF A COPY OF THE WITHIN IS HEREBY ADDMITTED.

Dated: July _____, 2013

TO:

MEGABUS NORTHEAST, LLC, 111 Eighth Avenue, New York, NY 10011

COACH LEASING, INC., 111 Eighth Avenue, New York, NY 10011

ANGEL H. BARMIENTO, 1469 67th Street, North Bergen, NJ 07047 or 1459 67th Street,
North Bergen, NJ 07047